

1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

**TSCA SUBPOENA**  
(Subpoena Duces Tecum)

TSCA SUBPOENA NO

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LAND & CHEMICALS  
LOCALITY

Your responses are required to be signed and must be attested to under oath. An Affidavit for your completion and signature accompanies this Subpoena.

Your response shall be sent to EPA representative Kelly Bunker, at the address provided below, unless it contains confidential business information. Pursuant to the regulations appearing at 40 C.F.R. Part 2, Subpart B, you are entitled to assert a business confidentiality claim covering any part of the submitted information. Unless such a confidentiality claim is asserted at the time the required information is submitted, EPA may make this information available to the public without further notice to you. Information subject to a business confidentiality claim may be made available to the public only to the extent set forth in the above-cited regulations. Any such claim for confidentiality must conform to the requirements set forth in 40 C.F.R. § 2.203(b).

If any portion of your response(s) to this action contains information that you claim as business confidential, you should submit that portion of the response in accordance with the following procedures. The material itself should be marked to indicate that it is claimed confidential. It should be placed in an envelope addressed to Kyle Chelius and marked "Confidential Business Information - To be Opened By Addressee Only." The envelope should then be placed in a second, "outer" envelope addressed to:

Kyle Chelius  
Document Control Officer (3LC61)  
Land and Chemicals Division  
U.S. Environmental Protection Agency, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

The package containing the confidential business information portion of your response should then be mailed, by registered mail, to Mr. Chelius, the EPA Document Control Officer.

#### DEFINITIONS

As used herein the terms listed below have the meanings indicated.

"Document" means the original or an identical and readable copy thereof, and all nonidentical copies (whether different from the original by reason of notations made on such copies or otherwise), regardless of origin location, of any writings or records of any type or description, however created, produced or reproduced, including but not limited to any final contracts, contingency contracts, riders, agreements, papers, books, records, letters, photographs, correspondence, communications, telegrams, cables, telex messages, memoranda, notes, notations, work papers, transcripts, minutes, reports and recordings of telephone or other conversations, or of interviews, conferences, or other meetings, affidavits, statements, summaries, opinions, reports, studies, analyses, evaluations, jottings, agendas, bulletins, notices, announcements, advertisements, instructions, charts, manuals, blueprints, brochures, publications, schedules, price lists, client lists, journals, statistical records, desk calendars, appointment books, diaries, lists, tabulations, sound.

recordings, computer printouts, data processing program libraries, data processing input and output, microfilm, books of accounts, records and invoices reflecting business operations, all records kept by electronic, photographic or mechanical means, any notes or drafts related to the foregoing, and all things similar to any of the foregoing, however denominated.

"DuPont Teijin Films (DTF)" means the company located at 3600 Discovery Drive, Chester, Virginia and having a mailing address of P.O. Box 411, Hopewell, VA.

"Heritage Crystal Clean (HCC)" means the company whose corporate office is located at 2175 Point Boulevard, Suite 375, Elgin, Illinois, 60123.

"PCBs"- means Polychlorinated Biphenyls.

"Waste Management Lampracker (WM-MO)" means the facility, with EPA ID # MOR000504456, located at 415 Kaiser Industrial Drive, Kaiser, Missouri, formerly known as the HTR Group.

"Waste Management Lampracker (WM-SC)" means the facility, with EPA ID # SCR000764126, located 101 Twenty-Nine Court, Williamston, South Carolina, 29697.

#### INFORMATION REQUIRED TO BE SUBMITTED TO EPA

If you cannot fully answer or fully provide the information requested in any specific question below, answer as much of the question as you possibly can with the resources available to you, providing all information in your current possession and/or control. In responding to this subpoena, you should base your answers on information in your possession or reasonably available to you. Where information necessary for a complete response is neither in your possession nor reasonably available to you, indicate this fact in your response and, if possible, identify any source that either possesses or is likely to possess such information.

1. Provide copies of the following signed manifests for PCB waste generated by DTF which list WM-MO as the designated facility. The signed copy should include the signature of the generator, transporter(s) and designated facility:

001220218GBF, signed by generator on 3/19/10  
001245606GBF, signed by generator on 9/12/10  
007074056GBF, signed by generator on 1/17/11  
001490656GBF, signed by generator on 8/1/11  
001489346GBF, signed by generator on 9/27/11  
001517397GBF, signed by generator on 2/3/12  
001521218GBF, signed by generator on 2/16/12  
001789823GBF, signed by generator on 4/3/12

If you are unable to provide copies of the above listed manifests with signatures of the

generator, transporter and designated disposer, please explain why. Please provide explanations for any changes in the designated facility site of receipt of any waste on any of the manifests.

2. Provide manifests, bill of lading, shipping papers, receipts or other documents that provide information regarding where and when the waste identified on each of the following manifests was sent after arriving at WM-MO:

001220218GBF, signed by generator on 3/19/10  
001245606GBF, signed by generator on 9/12/10  
007074056GBF, signed by generator on 1/17/11  
001490656GBF, signed by generator on 8/1/11  
001489346GBF, signed by generator on 9/27/11  
001517397GBF, signed by generator on 2/3/12  
001521218GBF, signed by generator on 2/16/12  
001789823GBF, signed by generator on 4/3/12

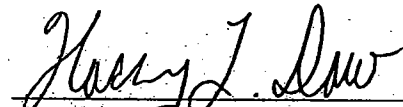
3. Provide records indicating the total amounts of PCB waste (including non-leaking PCB fluorescent light ballasts) being stored daily at the WM-MO facility from March 2010 to April 2012.
4. Provide a copy of any contracts between WM-MO and/or WM-SC with HCC regarding WM's management, receipt, pickup, transport, handling and disposal of non-leaking PCB fluorescent light ballast waste transported by HCC or HCC subcontractors to WM-MO or WM-SC.
5. Provide a copy of any contracts between WM-MO and/or WM-SC and whomever received the non-leaking PCB fluorescent light ballasts identified on the manifests in question 2 above after they left WM-MO or WM-SC.

6. Provide WM-MO's signed and dated notification of PCB waste activity (EPA Form 7710-53) filed with EPA, identifying the WM-MO facility as a storer or disposer of PCB waste.

If you have any questions concerning this subpoena, please contact Mr. Jeffrey Nast, Senior Assistant Regional Counsel, at (215) 814-2652. If any portion of your answer to this Subpoena is not confidential business information, that portion should be submitted by first class mail, or any equally reliable means, to Ms. Kelly Bunker at the following address:

Kelly Bunker  
Environmental Scientist (3LC61)  
Land and Chemicals Division  
U.S. Environmental Protection Agency  
Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

Issued in Philadelphia, PA this 26th day of June, 2013.



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Harry Daw, Associate Director  
Office of Toxics and Pesticides  
Land and Chemicals Division

*In re: Waste Management Lamptracker, Inc.*

**CERTIFICATE OF SERVICE**


I hereby certify that the original and one copy of the TSCA Subpoena No. 472 (Subpoena Duces Tecum), has been hand delivered and filed with the EPA Region III Regional Hearing Clerk on the date below, and that a copy of the same were sent via express delivery to:

Vice President, Disposal Operations Support  
Waste Management Lamptracker, Inc.  
1700 Broadway NE  
Minneapolis, MN 55413

United Parcel Service (UPS) Tracking No. 1Z A43 F71 24 9500 65636

7/2/13

Date

  
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Jeffrey S. Nast (3RC30)  
Sr. Asst. Regional Counsel  
U.S. EPA, Region III  
(215) 814-2652